

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  EXCHANGE OF TRANSIT TRAFFIC	DOCKET NOS. SPU-00-7 TF-00-275 (DRU-00-2)
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**ORDER SCHEDULING HEARING**

(Issued June 28, 2002)

On June 11, 2002, Rural Iowa Independent Telephone Association (RIITA) filed a letter with the Utilities Board (Board) objecting to the Board's March 13, 2002, invoice to RIITA following the proceeding identified as Docket No. SPU-00-7. RIITA filed its objection pursuant to Iowa Code § 476.10 (2001 Supp.).

In its objection, RIITA asserts that as an intervenor of the proceeding, acting in good faith, it did not expand the scope of the proceeding and, therefore, should not be assessed costs of the proceeding pursuant to Iowa Code § 476.10 (2001 Supp.).<sup>1</sup> RIITA also asserts that Qwest Corporation (Qwest), as the original filing party of the proceeding, should bear the responsibility for any direct costs of the proceedings. In addition, RIITA states that the amendment to Iowa Code § 476.10, which allows for direct assessments against non-public utilities, cannot be applied retroactively so as to include RIITA in the cost assessment activity.

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<sup>1</sup> Iowa Code § 476.101(10) also authorizes this direct allocation involving proceedings under 47 U.S.C. §§ 251-254.

Iowa Code § 476.10 provides that "[u]pon receipt of an objection, the board shall set the matter for hearing and issue its order in accordance with its findings in the proceeding." The Board will set this matter for hearing to address any issues concerning the Board's assessment of costs in this proceeding. The Board intends for this hearing to be the only review of its allocation of costs in Docket No. SPU-00-7.

**IT IS THEREFORE ORDERED:**

1. The objection filed on June 11, 2002, by Rural Iowa Independent Telephone Association to costs assessed following the proceeding identified as Docket No. SPU-00-7 is set for hearing before the Utilities Board at 10 a.m. on Tuesday, August 13, 2002, in the Board's hearing room at 350 Maple Street, Des Moines, Iowa. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Board at 515-281-5256 to make appropriate arrangements.
2. Any party wishing to participate in the hearing to a greater extent than cross-examination of the other parties' witnesses shall file a pre-hearing brief and witness list on or before July 30, 2002.

3. Copies of the objection and this order shall be forwarded to all parties identified in this proceeding.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 28<sup>th</sup> day of June, 2002.